

DOW W. PATTEN (135931)  
dow@forthrightlaw.com  
FORTHRIGHT LAW, P.C.  
50 California Street, Suite 1500  
San Francisco, CA 94111-4612  
Telephone (415) 228-6848  
Facsimile (415) 228-6876

Attorneys for Plaintiff, Jordan Spatz, M.D., Ph.D.

MICHAEL D. BRUNO (SBN 166805)  
mbruno@grsm.com  
RACHEL WINTTERLE (SBN 269853)  
rwintterle@grsm.com  
GORDON REES SCULLY MANSUKHANI, LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111  
Telephone: (415) 986-5900

Attorneys for Defendant, THE REGENTS OF  
THE UNIVERSITY OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

San Francisco Division

DR. JORDAN SPATZ, M.D., Ph.D.,

Plaintiff,

vs.

REGENTS OF THE UNIVERSITY OF  
CALIFORNIA,

Defendant.

Case No.: 21-cv-09605-LB

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT  
CONCERNING MODIFICATION OF  
THE SCHEDULING ORDER**

Date: February 8, 2024  
Time: 11:00 a.m.  
Judge: Hon. Laurel Beeler  
Courtroom: Via Zoom

Plaintiff Jordan Spatz, M.D. Ph.D. ("Plaintiff" or "Dr. Spatz") and Defendant The Regents of the University of California ("Defendant" or "The Regents") (collectively the "Parties"), by and through their undersigned counsel, and pursuant to the Court's September 25, 2023 order, hereby submit this Joint Case Management Statement.

## I. STATUS OF THE CASE

On September 25, 2023, the Court modified the scheduling order. The Court continued the fact discovery cut-off to February 15, 2024 so Plaintiff could take the depositions of Catherine Lucey, M.D., Manish Aghi, M.D., and Ramin Morshed, M.D., and Defendant could take Plaintiff's deposition. Those depositions have been completed.

## II. FURTHER MODIFICATION OF THE SCHEDULING ORDER

The Parties have agreed to continue the deadlines related to expert discovery while they engage in meet and confer efforts regarding stipulating to an IME of Plaintiff, pursuant to Federal Rule of Civil Procedure 35. These proposed changes to the scheduling order are highlighted in yellow.

Plaintiff also seeks to extend the fact discovery deadline to February 29, 2024 because he may want to move to compel the further production of text messages. Defendant cannot agree to extend the fact discovery deadline because Plaintiff first raised the issue of the production of text messages on January 30, 2024, and the deadline to move to compel further responses to requests for production of documents has long since passed.

Case Event	Filing Date/Disclosure Deadline/Hearing Date
Updated joint case-management-conference statement	2/1/2024
Further case-management conference	2/8/2024 at 11:00 a.m.
Non-expert discovery completion date	2/15/2024
Expert disclosures required by Federal Rules of Civil	2/15/2024 Proposed new date: February 29, 2024
Rebuttal expert disclosures	2/29/2024 Proposed new date: March 15, 2024
Expert discovery completion date	3/15/2024 Proposed new date: March 29, 2024
Last hearing date for dispositive motions and/or further case-management conference	4/4/2024 at 9:30 a.m./11:00 a.m.
Meet and confer re pretrial filings	4/9/2024

Pretrial filings due	4/18/2024
Oppositions, objections, exhibits, and depo designations due	4/25/2024
Final Pretrial conference	5/9/2024 at 1:00 p.m.
Trial	5/20/2024 at 8:30 a.m.
Length of trial	5 days

### III. OTHER MATTERS

Michael D. Bruno, lead counsel for The Regents, is starting a multi-week trial on February 2, 2024 and will be unavailable on February 8, 2024. With leave of the Court, Rachel Winterle will represent The Regents at the case management conference.

Plaintiff's counsel Dow W. Patten commences a two-week trial on February 5, 2024, but will inform the trial court judge of the need to break for the Case Management Conference.

Dated: February 1, 2024

FORTHRIGHT LAW, P.C.

By: /s/ Dow W. Patten  
Dow W. Patten  
Attorneys for Plaintiff  
Dr. Jordan Spatz, M.D., Ph.D.

Dated: February 1, 2024

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Rachel Winterle  
Michael D. Bruno  
Rachel Winterle  
Attorneys for Defendant  
THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-4.3.4(a)(2)**

I, Rachel Wintterle, am the ECF User whose identification and password are being used to file this Joint Case Management Conference Statement Concerning Modification of the Scheduling Order. In compliance with Civil Local Rule 5-1(i)(3) I hereby attest that all signatories concur in filing this document.

Dated: January 31, 2024

By: /s/ Rachel Wintterle  
Rachel Wintterle